

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	2:23-cv-07473-MRA-AJR	Date	February 18, 2025
Title	California Spine and Neurosurgery Institute v. Flo Services USA et al.		

Present: The Honorable	MONICA RAMIREZ ALMADANI, UNITED STATES DISTRICT JUDGE
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Gabriela Garcia

Deputy Clerk

None Present

Court Reporter

Attorneys Present for Plaintiffs:

None Present

Attorneys Present for Defendants:

None Present

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE FOR LACK OF PROSECUTION OR FAILURE TO COMPLY WITH COURT ORDER

Plaintiff California Spine and Neurosurgery Institute filed this case in Los Angeles County Superior Court on April 5, 2023. ECF 1-1. Defendant Aetna Life Insurance Company removed the case to federal court on September 8, 2023. ECF 1. Plaintiff brings claims against Defendant for negligent misrepresentation and promissory estoppel, or in the alternative recovery of benefits under the Employment Retirement Income Security Act, 29 U.S.C. § 1132(a)(1)(b). On January 29, 2024, the Court issued a Scheduling Order setting a Bench Trial in this matter for February 25, 2025. ECF 13.

This matter was reassigned to the undersigned district judge on February 23, 2024. ECF 16. The Reassignment Order confirmed that all trial dates set for August 26, 2024, or thereafter, as well as other deadlines associated with the case were to remain in effect. ECF 17. The Court's Civil Trial Order ("CTO") reaffirmed that, unless modified, the pretrial schedule issued by the prior district judge governs the case. ECF 22.

Defendant timely lodged the administrative record and plan documents on March 22, 2024. ECF 21. However, the parties appear to have taken no action in this matter since then. The deadline for the parties to complete a Settlement Conference, as required by the Scheduling Order and Local Rule 16-15, was January 3, 2025. The deadline for the parties to file and exchange opening trial briefs was January 24, 2025. The deadline for the parties to file and exchange responsive trial briefs was February 7, 2025. To date, no Joint Report regarding the outcome of the Settlement Conference has been filed, and no trial briefs have been filed.

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The Court **ORDERS** the parties to **SHOW CAUSE** in writing by **no later than February 20, 2025**, why this action should not be dismissed for lack of prosecution or failure to comply with the Court's orders pursuant to Federal Rule of Civil Procedure 41(b). If the parties fail to respond by the deadline, the case shall be dismissed with prejudice under Rule 41(b).

IT IS SO ORDERED.

Initials of Deputy Clerk - : -
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